

**PLANNING AND ZONING COMMISSION
STAFF REPORT**

July 20 of 2006



PV 06-13: Bryan Cotton Warehouse

CASE DESCRIPTION: request for a reduction in the minimum required front building setback from 25 feet to 1 foot.

LOCATION: 911 N Bryan Avenue in north central Bryan, Brazos County, Texas

LEGAL DESCRIPTION: Lot 107-109 (includes alley & excludes .08 acres of the 3.48 acre tract) in Block 107 of the Bryan Original Townsite, Bryan, Brazos County, Texas.

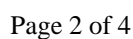
EXISTING LAND USE: vacant

APPLICANT(S): Bryan Cotton Warehouse, Inc. c/o Bill Ballard

STAFF CONTACT: John Dean, Transportation Planner

SUMMARY RECOMMENDATION: Staff recommends **approving** this request for variance.





BACKGROUND:

The applicant has requested a variance from the City of Bryan's building setback requirements for commercially zoned properties. This variance would change the minimum front setback from 25-feet to 1 foot.

The applicant intends to construct storage buildings for Recreational Vehicles on this site (see attached site plan). This site currently has an existing concrete pad which encroaches into the front setback; in addition, a large concrete firewall which is situated perpendicular to N. Bryan Avenue exists on the site. The applicant intends to incorporate this wall into his construction plans. The applicant contends that due to the unusually wide right-of-way on N. Bryan Avenue, adherence to the minimum required setbacks would place the structure nearly 50 feet from the street, as well as alter the building plans of utilizing the existing slab and wall at this location.

Staff agrees with the applicant that strict adherence to the ordinance would interfere with the construction plans for this site, and further it would significantly impact the build-able area on this site. Additionally, the majority of the buildings in this block and adjoining blocks are built to the property line, so strict adherence to the minimum setback requirements would affect the character of the area negatively as this building would stand out because it is situated so far from the street. Furthermore, if the 25 foot setback were to be observed, the large concrete firewall would still extend to the property line, which would be extraordinarily unsightly.

ANALYSIS:

The Planning and Zoning Commission may authorize a variance from minimum building setback standards stipulated in the Land and Site Development Ordinance. No variance shall be granted unless the Planning and Zoning Commission finds that all of the following criteria are met:

1. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the area (an area encompassing approximately a 200-foot radius);

Staff finds that allowing this variance would have a positive impact on properties in the area, as the property value of this and other properties would increase due to the aesthetic improvements which will take place pursuant to this development.

2. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties abutting the subject property;

Staff finds that there would be no detrimental impact to abutting property owners. In addition, this variance would lend uniformity to the area and "clean up" a site which has been vacant for some time.

3. That the hardships and difficulties imposed upon the owner/applicant are greater than the benefits to be derived by the general public through compliance with the requirements of this chapter.

Staff finds that due to the extraordinarily large right-of-way on N. Bryan Avenue, along with the fact that the majority of the buildings in this block are built to the property line, the affect of reducing the setback as requested would have a minimal impact on the surrounding properties and the public.

RECOMMENDATION:

Staff recommends **approving** this request for variance.